

1 **BRIAN D. SHAPIRO**
2 Trustee in Bankruptcy
3 510 S. 8th Street
4 Las Vegas, NV 89101
5 (702) 386-8600 Fax (702) 383-0994
6 trustee@trusteeshapiro.com
7

E-filed: June 13 2017

8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF NEVADA**

10 In Re:

11 CALDERA P & G,

12 Debtor(s).

13 Case No. 12-22484 MKN
14 Chapter 7

15 **DECLARATON IN SUPPORT OF
16 TRUSTEE'S EX PARTE MOTION TO
17 DEPOSIT FUNDS WITH COURT
18 CLERK AND SUBMISSION OF AN
19 ORDER CLOSING THE CASE**

20 Hearing Date: N/A
21 Hearing Time: N/A

22 BRIAN D. SHAPIRO, TRUSTEE, hereby declares,

- 23 1. Affiant is the Chapter 7 Trustee in the above referenced bankruptcy estate. Unless
24 otherwise stated on information and belief, Affiant has personal knowledge of the facts
25 and circumstances states herein. Such personal knowledge is based upon the review of
26 the Bankruptcy Court docket and applicable pleadings on file. Affiant is competent to
27 testify to the same.
- 28 2. On November 6, 2012 Debtor filed a voluntary petition for relief under Chapter 11 of
the Bankruptcy Code in the United States Bankruptcy Court for the District of Nevada.
- 29 3. Joseph B. Atkins was appointed as the Chapter 11 Trustee ("Atkins").
- 30 4. According to Docket 272, on September 24, 2014, Atkins filed a motion for distribution
of all estate funds.

5. According to Docket No. 2858, on October 30, 2014, an order was entered authorizing
1 the distribution of all estate funds.
6. According to Docket 298, on December 18, 2014, an order for final decree was entered
2 by the Court.
7. On or about January 6, 2015, Atkins passed away.
4
8. Based upon information and belief, after the passing of Atkins, the Office of the United
6 States Trustee became aware that \$1,000.00 was still remaining in the Atkins account
7 based upon a return check made payable to SCRS Investors, LLC.
9
9. The Office of the United States Trustee filed a motion to reopen the Bankruptcy Case
8 and a Motion to Convert the Case to a Chapter 7. Both motions were granted.
9
10. Affiant was appointed as the Chapter 7 Trustee.
10
11. Affiant has researched SCRS Investors, LLC and has determined that SCRS Investors
12 LLC was revoked by the Nevada Secretary of State, its business license expired on June
30, 2011 and no list of officers has been timely filed with the Nevada Secretary of State.
13
12. Affiant has also determined that SCRS Investors, LLC has/had two managing members
14 consisting of Butte Landmark Corporation with an address at 8290 W. Sahara Ave. Ste
15 186, Las Vegas, NV 89117 and James W. Scott with an address at 8290 W. Sahara Ave.
16 Ste. 186, Las Vegas, NV 89117.
17
13. Affiant has determined that the best course of action is to deposit such funds as
18 unclaimed funds for the benefit of SCRS Investors, LLC with the Bankruptcy Court
19 Clerk.
20
14. Affiant is requesting this Court for authority to deposit the remaining \$1,000.00 less any
21 applicable bank fees to the Court Clerk for the benefit of SCRS Investors, LLC.
22
15. Affiant is also requesting this Court that upon clearing of the funds, that the Trustee be
23 authorized to submit an order authorizing the closing of this case.
24
16. I declare under penalty of perjury that the foregoing is true and correct.
25

24 DATED 6-13-17



26 Brian D. Shapiro
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